



FIDUCIARY BOARD

Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Hearing Room 109

November 10, 2016
10:30 a.m.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Deborah Primock
Catherine Robbins
Elaine Acosta Sweet
Gary Krcmarik

Telephonically Present:

Teresa Lancaster
Diana Corry
Emily Kile
Honorable Jay M. Polk

Absent:

Leonard Montanaro

OTHER ATTENDEES:

AOC Staff:

Mark Wilson
Michelle Martinez
Debbie MacDougall
Wil Castro
Hal White
Pasquale Fontana
Briana Farmer
Marisa McNally
Bill MacIntyre

Guests:

Stacey Johnson
Audrey Hanks
Margaret Getchell
Taryn Hoover
Stephen Cundiff
Pamela Linnins
Cathy Yoshida
Ron Bailey
Amanda Ubiabor

CALL TO ORDER

Called to Order By: Deborah Primock, Chair

Time: 10:32 a.m.

1) REVIEW AND APPROVAL OF MINUTES:

1-A: Review, discussion and possible action regarding the regular session minutes of the meeting held on September 8, 2016.

Individual Addressing the Board: Deborah Primock

Discussion: None

Motion: Consideration of and motion to approve the regular session minutes of the meeting on September 8, 2016.

Motion Proposals: First Elaine Sweet
Second Gary Krcmarik

Motion Results: Pass

1-B: Review, discussion and possible action regarding the executive session minutes of the meeting held on September 8, 2016.

Individual Addressing the Board: Deborah Primock

Discussion: None

Motion: Consideration of and motion to approve the executive session minutes of the meeting held on September 8, 2016.

Motion Proposals: First Gary Krcmarik
Second Elaine Sweet

Motion Results: Pass

1-C: Review, discussion and possible action regarding the regular session minutes of the meeting held on September 23, 2016.

Individual Addressing the Board: Deborah Primock

Discussion: None

Motion: Consideration of and motion to approve the regular session minutes of the meeting on September 23, 2016.

Motion Proposals: First Elaine Sweet
Second Gary Krcmarik

Motion Results: Pass

1-D: *Review, discussion and possible action regarding the executive session minutes of the meeting held on September 23, 2016.*

Individual Addressing the Board: Deborah Primock

Discussion: None

Motion: Consideration and motion to approve the executive session minutes of the meeting held on September 23, 2016.

Motion Proposals: First Catherine Robbins
Second Elaine Sweet

Motion Results: Pass

2) PENDING COMPLAINTS/RENEWAL OF LICENSURE:

2-A: *Review, discussion and possible actions regarding complaint numbers 15-0013 and 15-0014 involving license holders, Mary Jane Condit and Condit & Associates.*

Individual Addressing the Board: Bill MacIntyre

Discussion: It is recommended the Board accept the determination of the Probable Cause Evaluator and dismiss Allegations 1 and 2 and find that probable cause exists as to Allegation 3 and issue a Letter of Concern.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Elaine Sweet
Second Gary Krcmarik

Motion Results: Pass

2-B: *Review, discussion and possible actions regarding complaint number 16-0003:*
i. *Involving license holder, Philip DeVico; and*
ii. *Renewal of licensure involving Philip DeVico.*

Individual Addressing the Board: Pasquale Fontana

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Philip DeVico has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 16-0003.

It is further recommended the Board dismiss complaint number 16-0003.

Based on the recommendation regarding the aforementioned complaint number, it is recommended to grant renewal of licensure for Philip DeVico.

Motion: Consideration of and motion to accept staff's recommendations.

Motion Proposals: First Gary Krcmarik
Second Teresa Lancaster
Recused Deborah Primock and Judge Jay Polk

Motion Results: Pass

2-C: *Review, discussion and possible action regarding complaint number 16-0002, involving license holder, Professional Community Services.*

Individual Addressing the Board: Pasquale Fontana

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Audrey Hanks and Professional Community Services have not committed the alleged act(s) of misconduct as detailed in Allegations 2, 3 and 4 of the Investigation Summary and Allegation Analysis Report in complaint number 16-0002.

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Audrey Hanks and Professional Community Services have committed the alleged act(s) of misconduct as detailed in Allegation 1 of the Investigation Summary and Allegation Analysis Report in complaint number 16-0002.

It is further recommended the Board issue a Censure.

Audrey Hanks and her attorney, Stacey Johnson are present and address the Board.

Motion: This matter is deferred until next meeting.

3) INITIAL LICENSURE AND ELIGIBILITY:

3-A: *Review, discussion and possible action regarding the following applications for initial individual licensure:*

1. Patrick Moore
2. Shawn Garner
3. Reliance Fiduciary, LLC
4. Margaret Getchell
5. Taryn Hoover

Individual Addressing the Board: Wil Castro

Discussion: It is recommended to grant initial individual licensure for the following individuals:

1. Patrick Moore
2. Shawn Garner
3. Reliance Fiduciary, LLC

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Gary Krcmarik
Second Judge Jay Polk

Motion Results: Pass

Individual Addressing the Board: Wil Castro

Discussion: It is recommended to grant initial individual licensure for the following individual:

4. Margaret Getchell

Margaret Getchell and her supervisor, Amanda Ubiubor are present and address the Board.

Motion: Consideration and motion to accept staff's recommendation.

Motion Proposals: First Emily Kile
Second Gary Krcmarik
Recused Catherine Robbins

Motion Results: Pass

Individual Addressing the Board: Hal White

Discussion: It is recommended to grant initial individual licensure for the following individual with cautionary language:

5. Taryn Hoover

Taryn Hoover is present and addresses the Board.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Gary Krcmarik
Second Elaine Sweet

Motion Results: Pass

3-B: Review, discussion and possible action regarding proposed settlement agreement concerning denial of licensure for Matthew Dana.

Individual Addressing the Board: Sheryll Prokop

Discussion: It is recommended the Board reject the proposed settlement offer concerning the denial of licensure for Matthew Dana.

Ron Bailey is present and addresses the Board.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Catherine Robbins
Second Gary Krcmarik

Motion Results: Pass

4) RENEWAL OF LICENSURE APPLICATIONS:

4-A: Review, discussion and possible action regarding the following applications for renewal of individual licensure:

1. Lyndi Anderson
2. Denise Baldwin
3. Mary Belasco
4. Janice Bernardini
5. Leigh Bernstein
6. Jeanette Bloss

7. Julianne Broгна
8. Benjamin Burnside
9. Phyllis Cornell
10. Marshall Coyne
11. Thomas Curti
12. Janette Dominguez
13. Frank Escalante
14. Patricia Flores
15. Glenn Gloria
16. Philip Grant
17. Jessica Gregg
18. Linda Hamilton
19. Louise Harter
20. Marshall Herron
21. Alexander Hobson
22. William Howsden
23. Annette Jones
24. Rick Kelley
25. Yolanda Kennedy
26. Carol Kopsco
27. Laurie Kuzdal
28. Edward Laber
29. Teresa Lancaster
30. Gary McGaha
31. Debra McKee
32. Peggy McMahon
33. Debra McPherson
34. Jacquelyne Mingle
35. Mark Mitchell
36. Nancy Mueller
37. Mirna Oldham
38. Martelle Olsen
39. David Osollo
40. Sandra Paz
41. Ana Perez-Arrieta
42. Thomas Peterson III
43. Mark Ralles
44. Carrie Rednour
45. Eileen Rogers
46. Elizabeth Rollings
47. Mark Rubin
48. Peter Santini
49. Ranae Settle
50. Carol Severyn
51. Denice Shepherd
52. Jamie Singer

- 53. Rhonda Stone
- 54. Katherine Trojahn
- 55. Peggy Van Norman
- 56. Patricia Weiss
- 57. F.M. Westra
- 58. Craig Winsom
- 59. Henry Wood
- 60. Jessica Zachary
- 61. Lori Lashley

Discussion: Defer this agenda item until the next meeting.

5) LICENSURE AND ELIGIBILITY:

5-A: *Review, discussion and possible action regarding request for placement on Active Status from Cathy Simons.*

Individual Addressing the Board: Wil Castro

Discussion: It is recommended that the Board accept the request and place Cathy Simons on Active Status.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Elaine Sweet
Second Teresa Lancaster

Motion Results: Pass

5) ADMINISTRATIVE ISSUES:

CALL TO THE PUBLIC

Individuals Addressing the Board: None.

ADJOURNMENT:

Motion: Move to adjourn.

Motion Proposals: First Catherine Robbins

Motion Results: Second Elaine Sweet
Pass

Time: 12:35 p.m.